



Submerged Lands Lease Assignment Instructions

Assignment Of A State Lease Is Required Upon Sale Or Transfer Of Leasehold Interest Or Change In Business Entity

- ✓ **Current Lease Document.** You must submit the original lease that is currently in effect. If the current lease with original signatures is not available, then the Assignor must complete an Affidavit of Loss, a copy of which may be obtained by request or at the IDL website at <http://www2.state.id.us/lands/>. DO NOT send an expired lease or a copy of your lease.
- ✓ **TWO (2)** complete original fully executed, notarized assignment forms must be submitted with the appropriate fees and documentation. Photocopies of signatures, partially completed or partially executed assignment forms, or incomplete assignment packages will not be processed.
- ✓ **Assignment fee** of **\$50.00** for each lease to be assigned.
- ✓ **Rental** and any associated penalties for the current lease year must be paid and the lease in good standing before it can be assigned. In addition, if the lease contains a gross receipts requirement, a gross receipts report and any additional rent due therein must be paid for the portion of the year up to the date of assignment.
- ✓ The **ASSIGNOR** (Current Lessee) is the person or persons who are giving up their interest, right or title to the lease/leased lands; they are named on the lease. The **ASSIGNOR** completes the upper portion (see below) of the application. You must sign using the name(s) given on the lease. All lessees must sign as assignor; both application forms must have original signatures; all signatures must be notarized.

ASSIGNOR(S) -- CURRENT LESSEE(S) SIGNATURE

We hereby swear and affirm that the consideration stated herein is the full and complete amount paid by the assignees to the assignors, and no additional payment has been or will be made.

Assignor _____

Assignor _____

- ✓ The **ASSIGNEE** (New Lessee) is the person or persons to whom interest, right or title to the lease is being sold or transferred. The **ASSIGNEE** completes the lower shaded portion of the application (see below). You must sign using the name(s) given at the top of the application (which should be the name(s) you will want on the lease). Both applications must have original signatures; all signatures must be notarized. If applicable, it is the Assignee's responsibility to notify the county of the change in ownership.

ACCEPTANCE AND ASSUMPTION BY ASSIGNEE (NEW LESSEE)

The undersigned, as ASSIGNEE(S) (New Lessee) above named, assume and accept the obligations and conditions of the above-described State of Idaho Lease and separately covenants with the State of Idaho that they will abide thereby during term of said lease. Further, Assignee(s) do hereby swear and affirm that the sum of \$ _____ is the full and complete amount of consideration paid by Assignee(s) to the Assignor(s) herein, and that no additional payment has been or will be made.

(Signature Of Assignee) _____

(Signature Of Assignee) _____

- ✓ If the Assignee (New Lessee) is a commercial business, the legal entity name, as recognized by the State of Idaho, must be on the assignment form, and supporting documentation submitted with your forms. You may obtain a copy of your information through the Secretary of State's website at <http://www.idsos.state.id.us/>
- ✓ **Divorce:** If your former spouse is a lessee and you wish to add a "new" spouse or remove the name of a "former" spouse, you must submit a copy of the divorce decree, including the property settlement. If there is no spouse named on the current lease, but you are now or were married at any time during the ownership of the lease site, your spouse must sign as assignor even though they are not named as a lessee on the original lease.
- ✓ **Death:** If you wish to remove the name of a deceased lessee, you must submit a copy of the death certificate, along with documentation that gives you the legal authority to represent the deceased.
- ✓ **Trusts:** Leases assigned to a trust can have only one individual or husband and wife designated as the sole contact for all billing and correspondence. To assign to a trust, we must have a copy of the trust or those portions of the trust that are applicable to the lease. The trust must have a name (i.e. John Doe Revocable Trust).
- ✓ You must submit proof of insurance (if applicable), per the terms of your lease, within thirty (30) days of receipt of the approved assignment.
- ✓ A site inspection may be conducted to assure that the site is properly maintained and in compliance with lease terms.
- ✓ If an encroachment (dock) permit is associated with the leased property you will also need to submit a Request for Transfer of Encroachment Permit. This can be obtained at the Idaho Department of Lands website <http://www2.state.id.us/lands/> or through an area office.

SUBMIT DOCUMENTATION TO: IDAHO DEPARTMENT OF LANDS, Bureau of Surface and Mineral Resources, P O Box 83720, Boise, ID 83720-0050, **OR** to the appropriate area office. Please allow six (6) weeks for processing. If you have questions, please call (208) 334-0200 or the area office.



Bureau of Surface and Mineral Resources
Application for Assignment

Submerged Lands Lease # _____

For and in consideration of _____ dollars, paid for the lease and _____ dollars paid for improvements and/or personal property, the receipt of which is hereby acknowledged, we hereby sell, assign and transfer unto:

_____ of
Assignee – New Lessee Name(s)

Home Address, City, State Zip
Telephone (_____) _____, all of our right, title and interest in State of Idaho Lease # _____

A legal description and location of any improvements and/or personal property included in this transaction is attached hereto or submitted herewith.

ASSIGNOR(S) -- CURRENT LESSEE(S) SIGNATURE

We hereby swear and affirm that the information contained herein is true and correct to the best of our knowledge and that the consideration stated herein is the full and complete amount paid by the assignees to the assignors, and no additional payment has been or will be made.

Assignor _____ Assignor _____

STATE OF _____)
: ss.
County of _____)

On this _____ day of _____, in the year 20____, before me, a notary public in and for said State, personally appeared _____, known to me to be the Assignor(s)/Lessee(s) that executed the within instrument, and acknowledged to me that _____ executed the same.
he/she/they

IN WITNESS WHEREOF, I have hereunto set my hand and seal on the day and year last above written.

Notary Public
Residing at: _____
My Commission Expires: _____

ACCEPTANCE AND ASSUMPTION BY ASSIGNEE(S) - NEW LESSEE(S)

The undersigned, as Assignee(s) - New Lessee(s) above named, assume and accept the obligations and conditions of the above-described State of Idaho Lease and separately covenant with the State of Idaho that they will abide thereby during term of said lease. Assignee(s) do hereby swear and affirm that the sum of \$_____ is the full and complete amount of consideration paid by Assignee(s) to the Assignor(s) herein, and that no additional payment has been or will be made. Assignee(s) further understand that it is Assignee(s) responsibility to record the appropriate papers with the County in which the lease site is located in order to record the correct ownership.

Signature of Assignee – New Lessee

Signature of Assignee – New Lessee

State of _____)
: ss.
County of _____)

On this _____ day of _____, in the year _____ before me, a notary public in and for said State, personally appeared _____ known to me to be the individual(s) that executed the within instrument, and acknowledged to me that _____ executed the same.
he/she/they

Notary Public

Residence

Commission Expires

Recorded this _____ day of _____, 20____.